

Attorney Docket No. 03665/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s) : Mitsuru ARAI et al
Serial No. : 10/699,809
Confirm. No. : 4459
Filed : November 3, 2003
For : VOLUME CONTROL APPARATUS OF
RADIAL PISTON PUMP OR MOTOR
AND POSITIONING APPARATUS
Art Unit : 3746
Examiner : Leonard J. Weinstein

This paper is being submitted
via EFS-Web on October 22, 2007

In the event that this Paper is
late filed, and the necessary
petition for extension of time
is not filed concurrently
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as a Petition for the requisite
extension of time, and to the
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authorization to charge the
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No. 06-1378. In addition,
authorization is hereby given to
charge any fees for which
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or to credit any overpayments,
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NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Applicant hereby appeals to the Board of Appeals from the decision of the Examiner
finally rejecting Claims 5-9.

A Pre-Appeal Brief Request for review is submitted with this Notice of Appeal.

The Patent Office fee of \$510.00 under 37 CFR 37 CFR 41.20(b)(1) for filing a Notice of
Appeal is being paid by credit card herewith. If any further fees are required, authorization is
given to charge same against Account No. 06-1378.

Respectfully submitted,

/Douglas Holtz/

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